



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICHANAND
MICHAEL PHILLIPPS
LISA M. DIROCCO
HATHAWAY P. RUSSELL
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD

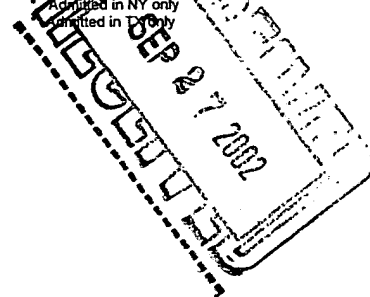
SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT

PATENT AGENTS
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
DANIEL B. KO

TECHNICAL SPECIALISTS
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
EUIHOON LEE
CATHERINE E. McPHERSON
ERIC F. WAGNER, Ph.D.
JACOB G. WEINTRAUB
JONATHAN M. SPARKS, Ph.D.
CRISTINE E. HOWLEY, Ph.D.

* Admitted in NY only
* Admitted in TX only



September 20, 2002

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application No.: 10/058657
For: FUEL CELL AND FUEL CELL STACK
Inventors: Suenaga, Toshihiko, *et al.*
Filed: January 28, 2002
Our Ref. No.: SIW-031

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. U.K. Patent Office Combined Search and Examination Report;
3. PTO Form 1449;
4. Copies of selected references cited in PTO Form 1449 (3); and
5. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231 on:

September 20, 2002

Anthony A. Laurentano, Esq., Reg. No. 38,220

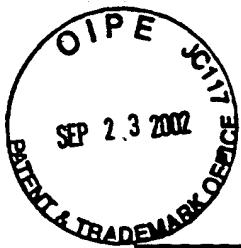
Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano
Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants

RECEIVED

SEP 25 2002

TC 1700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Suenaga, Toshihiko, *et al.*

Serial No.: 10/058657

Filed: January 28, 2002

For: FUEL CELL AND FUEL CELL STACK

Attorney Docket No.: SIW-031

Group Art Unit: 1745

Examiner: Not Yet Assigned

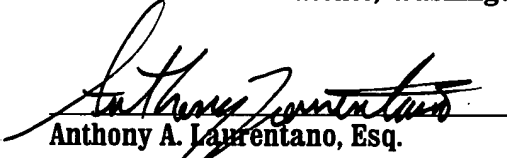
Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

9/20/02
Date of Signature and of Mail Deposit

By:


Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney are aware of the following publications and information, listed on the attached PTO Form 1449, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. A copy of each cited publication is enclosed.

RECEIVED

SEP 25 2002

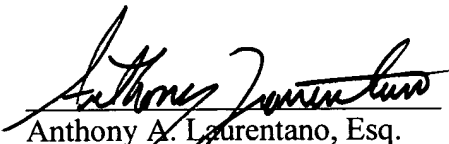
TC 1700

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(e)(1), the undersigned hereby certifies that each item contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application for the first time not more than three months prior to the filing of this statement.

No additional costs are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants

28 State Street
Boston, MA 02109
(617) 227-7400

Date: 9/20/02

AAL/kvj
Enclosures

REV 7-80

SIW-031

10/058657

LIST OF PUBLICATIONS CITED BY APPLICANT
(Use several sheets if necessary)

APPLICANT

Suenaga, T shihik , et al.

FILING DATE

January 28, 2002

GROUP

1745

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,424,144	06/95	Woods, Jr.	429	35	

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	A2	WO 97/24778 A1	07/97	WO.				
	A3	WO 99/04446 A1	01/99	WO.				

OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)

[illegible]

~~RECEIVED~~

SEP 25 2002

TC 1700

Examiner

Date Considered

***EXAMINER:**

Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.